

KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP

**101 PARK AVENUE
NEW YORK, NEW YORK 10178**

(212) 808-7800

WASHINGTON, DC

CHICAGO, IL

STAMFORD, CT

PARSIPPANY, NJ

BRUSSELS, BELGIUM

AFFILIATE OFFICES

MUMBAI, INDIA

FACSIMILE

(212) 808-7897

www.kelleydrye.com

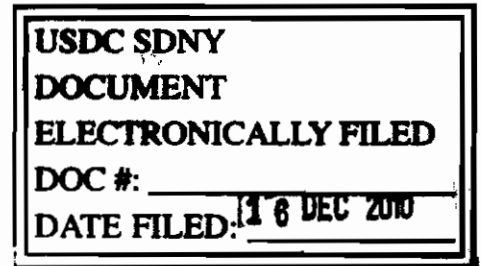
DIRECT LINE (212) 808-7718

EMAIL jcallagy@kelleydrye.com

December 16, 2010

BY E-MAIL

The Honorable Paul A. Crotty
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312



**Re: Syncora Guarantee, Inc. v. EMC Mortgage Corporation,
No. CV-09-3106 (PAC)**

Dear Judge Crotty:

We are co-counsel to Defendant EMC Mortgage Corporation ("EMC") in this action. We write with respect to Plaintiff Syncora Guarantee, Inc.'s ("Syncora") motion for leave to file an amended complaint to request permission to submit 5 additional pages (for a total of 30 pages) for EMC's opposition memorandum of law. Syncora's proposed Amended Complaint consists of 320 paragraphs and 145 pages. The additional pages are needed in order to address the issues raised in Plaintiff's motion.

Syncora's counsel has consented to this request.

Respectfully submitted,

John M. Callagy

cc: Richard A. Edlin, Esq. (via e-mail)
Eric N. Whitney, Esq. (via e-mail)
Philip R. Forlenza, Esq. (via e-mail)
Erik Haas, Esq. (via e-mail)
Karla Sanchez, Esq. (via e-mail)

Application GRANTED

✓
SO ORDERED:

**HON. PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE**

16 DEC 2010

MEMO ENDORSED